



CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 06/08/99

AGENDA ITEM 4

WORK SESSION ITEM _____

TO: Mayor and City Council

FROM: Director of Community and Economic Development

SUBJECT: Maintenance District No. 1 - Storm Drainage Pumping Station and Storm Drain Conduit - Pacheco Way, Stratford Road and Ruus Lane. Preliminarily Approve the Engineer's Report, Adopt a Resolution of Intention and Set July 6, 1999, as the Public Hearing Date

RECOMMENDATION:

It is recommended that the City Council preliminarily approve the Engineer's Report, adopt a Resolution of Intention, and set July 6, 1999, as the public hearing date.

DISCUSSION:

Maintenance District No. 1 was formed to fund the operation and maintenance of a storm drain pumping plant that serves the Warmington Homes development near Stratford Road and Ruus Lane. The district includes four tracts totaling 175 homes.

A 1995 agreement between the City and Alameda County Flood Control District (ACFC) vests the responsibility for the maintenance and operation of the pumping plant with the District and requires the City to fund these costs and maintain a capital replacement fund. The amounts in the Engineer's Cost Estimate were provided by the ACFC District, based on their experience with this and similar pumping stations.

The Engineer's Report estimates the assessment for FY 1999-00 to be \$171.60 per single-family lot, which is the same as fiscal year 1998-99. In fiscal year 1999-00, the collection amount will also be the same as the assessment amount, unlike FY 1998-99, in which the collection amount was \$164.97 per single-family lot, due to a minor surplus during that fiscal year.

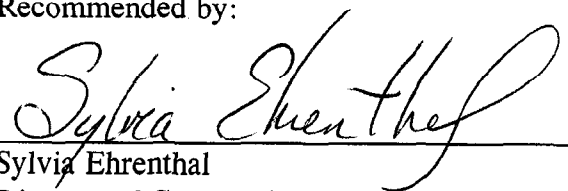
Prepared by:

Bashir Y. Anastas

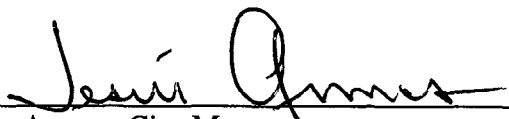
Bashir Y. Anastas, P.E.

Development Review Services Engineer

Recommended by:


Sylvia Ehrental
Director of Community and Economic Development

Approved by:


Jesús Armas, City Manager

Exhibits:

Engineer's Report
Draft Resolution(s)

5.26.99

ANNUAL LEVY REPORT

MAINTENANCE DISTRICT NO. 1

**STORM WATER LIFT STATION, STRATFORD ROAD AND RUUS LANE
(MD No. 1)**

**CITY OF HAYWARD MUNICIPAL CODE CHAPTER 10, ARTICLE 10
IMPROVEMENT ACT OF 1911**



ENGINEER 'S REPORT **(FISCAL YEAR 1999-00)**

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10. Plans Indicating Facilities to be Maintained are on File in the Office of the City Clerk

BACKGROUND:

On January 5, 1993, by Resolution No. 93-010, the City Council approved the vesting tentative map of Tract 6472 for a 148-lot single-family residential subdivision located on the northerly side of Industrial Parkway West adjacent to the collector streets of Pacheco Way, Stratford Road and Ruus Lane. The final subdivision consisted of 143 lots.

On June 6, 1995, by Resolution No. 95-103, the City Council ordered the formation of the district.

Conditions of approval for Tentative Map Tract 6472, which included Final Maps Tract 6472, 6560, 6682 and 6683, include provisions for storm drainage improvements and construction of an approved stormwater pumping facility.

The drainage area and pumping facility were analyzed in documents prepared by Wilsey & Ham, Civil Engineers. These documents indicated the following: The drainage basin includes 29.1 acres of which 24.7 acres are residential, 1.9 acres are for a park site, and 2.5 acres are for the collector streets of Stratford Road and Ruus Lane. Pacheco Way does not drain into this basin system nor does the industrial property to the south. In addition to the 143 lots identified above, another subdivision, final map Tract 6682, with a total of 31 lots located immediately to the east of Chutney Road, has also been approved. The total number of residential lots in the drainage basin is 175.

A Storm Water Lift Station (SWLS) has been constructed to pump storm water run-off for the developed area which is adjacent to District's Line B, Zone No. 3A. The plans for the lift station were approved by the City and the Alameda County Flood Control District (ACFC). The SWLS was designed with capacity for only the development of the area encompassing the 175 lots. No added capacity was constructed for runoff from other areas such as the Georgian Manor and Spanish Ranch Mobile Home Parks, which are presently served by a privately owned and operated pumping facility located within each park.

An agreement between the City and ACFC transferred ownership of the SWLS to ACFC. The agreement states that the District concurs with the SWLS transfer subject to the City providing the District with the monies to operate, maintain and provide funds for capital equipment replacement and for modifications that may become necessary for the optimal performance of the SWLS. The surplus was applied to the capital replacement fund.

This agreement calls for the City each year to deposit with the District the monies to maintain, operate and set aside a portion of the money to provide for a capital replacement fund.

Each year no later than December 1, the District will furnish the City with an itemized estimate of the cost to operate, maintain and supplement the capital equipment replacement fund for the fiscal year commencing on the next July 1. Should the capital equipment replacement fund be inadequate to cover unscheduled/emergency repairs, equipment replacement or modifications that are found to be necessary for the normal and safe performance of the SWLS, the District will provide the City with written notice of the need for additional funding.

APPORTIONMENT METHODOLOGY:

The properties contributing storm water runoff to the pump station consist of the estimated 174 residential lots and street areas within those subdivisions, a portion of Stratford Road and Ruus Lane and the park site owned by HARD. These areas are encompassed by the assessment district boundary as shown in the attached Assessment Diagram.

The residential land uses contain 174-lots that are contiguous to each other and are not a continuation of any existing development in the surrounding area. The lots receive a special benefit in that the pumping station and the storm drains protect the residential lots from storm water flooding. The special benefit derived by the individual lots is indistinguishable between lots. Therefore, all residential lots derive the same benefit and the corresponding method of assessment for residential land uses is based on a per lot basis.

Chapter 10, Article 10 of the Hayward Municipal Code establishes the Maintenance District procedures of the City of Hayward. These City procedures supplement the provisions of Chapter 26 of Part 3 of Division 7 of the State of California Streets and Highways Code commonly referred to as the 1911 Act. The procedures provide and the Act allows that the maintenance of drainage improvements are an eligible cost within the provisions of the Streets and Highways Code as referenced by the Hayward Municipal Code.

Stratford Park is owned by the City and receives minimal special benefit, since there are no buildings to protect from flooding, only minor structures and landscaping. Therefore, the special benefit for the park was established as equal to the benefit received by one residential lot, for a district total of 175-lots.

Pursuant to the Act, each year the legislative body must determine whether the district will be continued for the forthcoming fiscal year and, if so, determine what assessment will be levied for that fiscal year.

The projected total FY 1999-00 maintenance and incidental cost of \$30,028.96 is the same as the cost estimate for FY 1998-99. The proposed annual assessment per single-family or park lot of \$171.60 is the same as the FY 1998-99 assessment of \$171.60. This will also be the collection amount for fiscal year 1999-00.

MAINTENANCE DISTRICT NO. 1 (MD No. 1)
PACHECO WAY, STRATFORD ROAD, RUUS LANE, WARD CREEK

CERTIFICATIONS

FISCAL YEAR 1999-00

I, the City Clerk of the City of Hayward, California, hereby certify that the Engineer's Report, with an estimate of costs as set forth in Column (1) page 5, and the Assessment Roll indicating the individual assessments and the Assessment Diagram, all within and a part of said report, was filed with this office on _____, 1999.

City Clerk

I have prepared this Engineer's Report and do hereby certify that the amounts set forth in Column (2) under Estimate of Costs on page 5, of the foregoing report, and the breakdown of estimated costs on page 7 of this report, and the amounts indicated on the Assessment Roll have been computed in accordance with the order of the City Council of said City, as expressed by its Resolution No. 99-, duly adopted by said Council on June 8, 1999.

Dated: June 8, 1999

City of Hayward

By: Bashir Y. Inastar
Engineer of Work

I, the City Clerk of the City of Hayward, California, hereby certify that the Assessments as shown on the Assessment Roll and the Estimate of Costs as shown in Column (3) under Estimate of Costs on page 5, and the Assessment Diagram thereto attached were approved and confirmed by the City Council of said City on July 6, 1999, by Resolution No. 99-, subject documents are a part of the Engineer's Report of subject district, which is on file in this office.

City Clerk

I, the City Clerk of the City of Hayward, California, hereby certify that a certified copy of the Assessment Roll and the Assessment Diagram was filed in the office of the County Assessor, County of Alameda, California, on _____, 1999.

City Clerk

ASSESSMENT

WHEREAS, Chapter 10, Article 10 of the Hayward Municipal Code and as supplemented by the provisions of Chapter 26 of Part 3 of Division 7 of the Streets and Highways Code of the State of California require the preparation of a report for the levy of assessments;

NOW, THEREFORE, the undersigned, by virtue of the Hayward Municipal Code, hereby make the following assessment to cover the portion of the estimated costs of the maintenance of subject improvements and the costs and expenses incidental thereto to be paid by said Assessment District (MD No.1).

The amount to be paid for the maintenance of said improvements, and the expenses incidental thereto, are as follows:

	Estimate of Costs		
	(1) As Filed	(2) As Preliminarily Approved	(3) As Finally Approved
Cost of Maintenance	\$21,527.00		
Incidental Expenses	\$8,000.00		
Total Assessable Costs	\$29,527.00		
Number of Assessable Parcels	175		
Assessment Per Parcel*	\$ 171.60		
Total Anticipated Surplus Funds	\$0.00		
County Collection Charge	\$501.96		
Total to be Collected for FY 1999-00	\$30,028.96		
Collection Per Parcel	\$ 171.60		

* Assessment per parcel adds a 1.7% County collection charge to total assessable costs

As required by said Hayward Municipal Code, a diagram is hereto attached showing the exterior boundaries of said assessment district and each lot of land within said assessment district, each of which lots having been given a separate number upon said diagram. For the lines and dimensions of each lot, reference is made to the County Assessor's maps for the fiscal year 1999-00.

The diagram and assessment numbers appearing herein are the diagram numbers appearing on said diagram, to which reference is hereby made for a more particular location of said parcels. Each parcel assessed is described in the assessment roll by reference to its parcel number (except

MD NO. 1 - STORM WATER LIFT STATION, STRATFORD ROAD AND RUUS LANE - FY 1999-00

the publicly owned parcels) as shown on the Assessor's Maps of the County of Alameda for the fiscal year 1999-00 and includes all of such parcel.

For line and dimensions of the residential lots reference is made to the Assessors Map. For additional information as to the bearings, distances, monuments, easements, etc. of subject subdivisions reference is hereby made to the Final Map of Tracts 6472, 6560, 6682 and 6683 filed in the Office of the Recorder of Alameda County.

Dated: June 8, 1999

Bashir Y. Anastas

Bashir Y. Anastas, P.E.

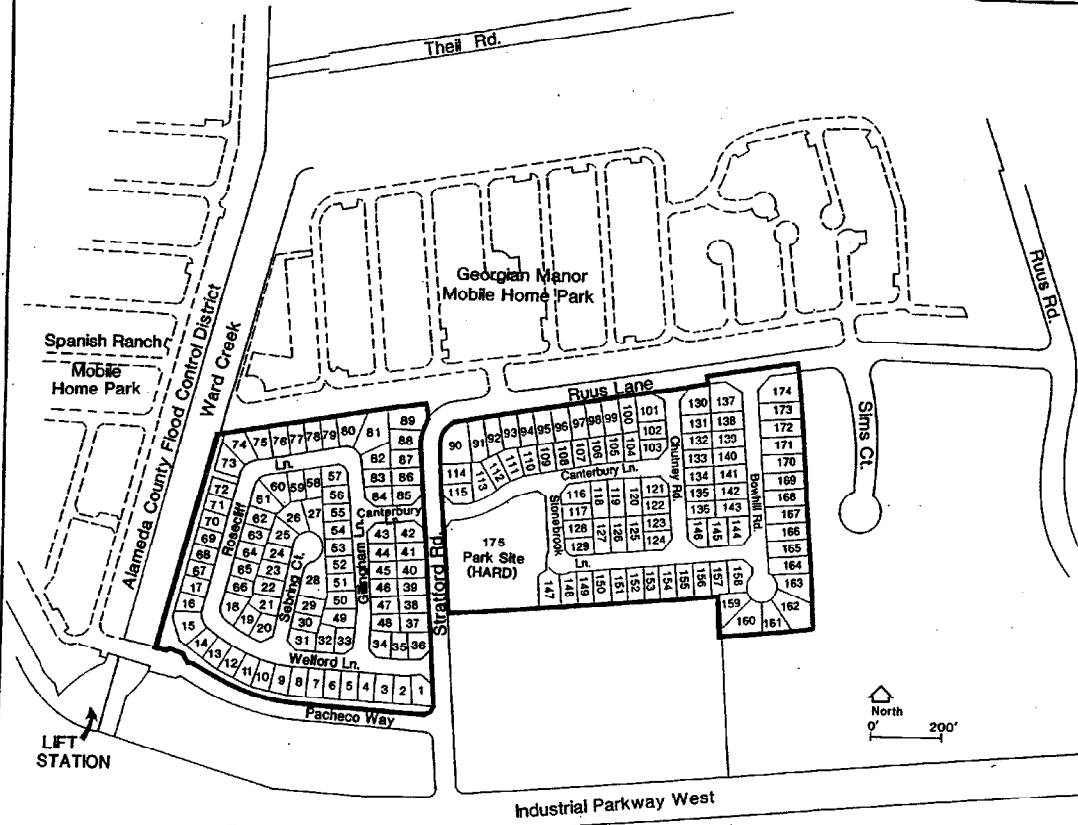
RCE No. 48748

Engineer of Work

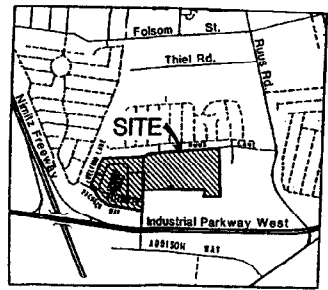
MAINTENANCE DISTRICT NO. 1
STORM WATER LIFT STATION, STRATFORD ROAD AND RUUS LANE
(MD NO. 1)

Engineer's Cost Estimate
FY 99/00

	FY 99/00 Budget
<u>I. MAINTENANCE COSTS</u>	
(a) Labor and Equipment	17,510.00
(b) Materials and Supplies	2,575.00
(c) Utilities	1,236.00
(d) Diesel Fuel	206.00
Total Maintenance Cost	21,527.00
<u>II. INCIDENTAL COSTS</u>	
(a) Administration (County)	2,400.00
(b) Administration (City)	1,100.00
(c) Engineer's Report, preparation of documents, printing and advertising	2,000.00
(d) Capital Replacement Fund	2,500.00
Total Incidental Cost	8,000.00
<u>III. TOTAL ASSESSABLE COSTS</u>	29,527.00
Surplus from FY 1998-99	0.00
Collection Amount	29,527.00
County Charges for Collection (1.7%)	501.96
NET ASSESSMENT COLLECTIONS FOR FISCAL YEAR	30,028.96
Number of Assessable Parcels	175
Assessment per Parcel Before Accounting for Surplus	171.60
Collection per Parcel after Accounting for Surplus	171.60
<u>IV. FUND BALANCES AT THE END OF FY 1998-99</u>	
Capital Replacement Fund ⁽¹⁾	17,886.50
Cash Flow Fund ⁽²⁾	9,850.70
NOTES:	
(1) This amount includes \$15,000.00 transmitted to and held by the County	
(2) The County holds this amount for continuing operations	



NOTE:
 This diagram is only for the purpose of indicating the lots being assessed, the assigned assessment numbers for said lots and the relationship to the surrounding streets.
 For a detailed description of the lines and dimensions of the lots, reference is made to the Alameda County Assessor's Maps for the fiscal year 1997-98. For information on the streets and other appurtenant lines and dimensions within the subdivided area reference is made to the filed final map of Tracts 6477, 6560, 6682 and 6683.



APPROVED
 ENGINEER OF WORK
 BY: Bashir Y. Anastas June 8, 1999
 BASHIR ANASTAS DATE

Filed in the Office of the City Clerk of the City of Hayward, County of Alameda, State of California, this _____ Day of _____, 19____.

CITY CLERK, CITY OF HAYWARD
 COUNTY OF ALAMEDA, CALIFORNIA

An Assessment was Confirmed and Levied by the City of Hayward, California, on the Lots, Pieces and Parcels of Land shown on this Assessment Diagram on the _____ Day of _____, 19____, and said Assessment Diagram and the Assessment Roll were filed in the Office of the City Clerk, City of Hayward on the _____ Day of _____, 19____. Reference is made to said Recorded Assessment Roll for the Exact Amount of each Assessment levied against each Parcel of Land Shown on the Assessment Diagram.

CITY CLERK, CITY OF HAYWARD, CA.

COUNTY AUDITOR'S CERTIFICATE:

On this _____ Day of _____, 19____, this Assessment Diagram and the Accompanying Assessment Roll have been filed in the Office of the Auditor of Alameda County.

AUDITOR OF THE COUNTY OF ALAMEDA,
 STATE OF CALIFORNIA

COUNTY RECORDER'S CERTIFICATE:

Recorded this _____ Day of _____, 19____, in the Office of the County Recorder of the County of Alameda, in Book _____ of Maps of Assessment District at Pages _____ Thereof at _____.

COUNTY RECORDER,
 COUNTY OF ALAMEDA STATE OF CALIFORNIA

ASSESSMENT DIAGRAM
FISCAL YEAR 1999-2000

MAINTENANCE DISTRICT NO. 1
Storm Drainage Lift Station
Pacheco Way, Stratford Road, Ruus Lane, Ward Creek
(MD No. 1)

DRAFT

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

RESOLUTION PRELIMINARILY APPROVING ENGINEER'S REPORT, DECLARING INTENTION TO LEVY ASSESSMENTS FOR FISCAL YEAR 1999-00, AND SCHEDULING FURTHER PUBLIC MEETINGS REGARDING MAINTENANCE DISTRICT NO. 1 - STORM DRAINAGE PUMPING STATION AND STORM DRAIN CONDUIT - PACHECO WAY, STRATFORD ROAD, AND RUUS LANE (MD #1)

BE IT RESOLVED by the City Council of the City of Hayward, as follows:

1. Maintenance District No. 1--Storm Drainage Pumping Station and Storm Drain Conduit--Pacheco Way, Stratford Road, and Ruus Lane (the "maintenance district") was established by the adoption of Resolution No. 95-103 to provide funds to operate, maintain, and service a storm drainage pumping station and storm drain conduit constructed to provide a means of handling storm water runoff for Tracts 6472, 6560, 6682, and 6683. The maintenance district consists of properties as indicated in the attached Exhibit "A."
2. The Engineer of Work has prepared a report in accordance with the City of Hayward Municipal Code, Chapter 10, Article 10, section 10-10.25. Said report has been made, filed, and duly considered by this City Council and is hereby deemed sufficient and preliminarily approved. Said report shall stand as the report for all subsequent proceedings.
3. It is the intention of the City Council to order the levy and collection of assessments for the maintenance of the storm drainage pumping station and storm drain conduit pursuant to Part 3, Chapter 26 of Division 7 of the California Streets and Highways Code (commencing with section 5820 thereof).
4. The proposed assessment is \$171.60 per single-family lot, the same as that assessed in fiscal year 1998-99.
5. Reference is hereby made to the aforementioned report on file with the City Clerk for a full and detailed description of the improvements, the boundaries of the proposed maintenance district, and the proposed assessments upon assessable lots within said district. Public property owned by any public agency and in use in the performance of a public function within said district shall not be assessed,

except for Stratford park, which is owned by the City of Hayward, which is the only publicly owned property which will receive a special benefit from the maintenance of the pumping station and storm drains financed by the maintenance district.

6. On July 6, 1998, at the hour of 8 p.m., in the regular meeting place of this City Council, City Council Chambers, 777 B Street, Hayward, California, a public hearing will be held on the levy of the proposed assessment.

Prior to the conclusion of said public hearing, any interested person may file a written protest with the City Clerk, or having previously filed a protest, may file a written withdrawal of that protest. A written protest by a property owner shall contain a description sufficient to identify the property owned by such owner.

7. The City Clerk is hereby directed to cause a notice of said meeting and hearing to be made in the form and manner provided by law, specifically section 54954.6 of the Government Code of the State of California.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 1999

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward